

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MARC GRANO,

Plaintiff,

v.

Civ. No. 20-147 PJK/KK

STATE OF NEW MEXICO *et al.*,

Defendants.

**ORDER ON PLAINTIFF’S MOTION TO EXTEND
EXPERT WITNESS DISCLOSURE DEADLINES**

THIS MATTER is before the Court on Plaintiff’s Motion to Extend Expert Witness Disclosure Deadlines (Doc. 72) (“Motion”), filed August 23, 2021. Defendants did not file a written response in opposition to the Motion, and the time for them to do so has expired. D.N.M.LR-Civ. 7.4(a). The Court, having considered the Motion, the record, and the relevant law, having heard counsel’s arguments at a hearing on the Motion on September 21, 2021, and being otherwise fully advised, FINDS that the Motion is well taken in part. The Motion is therefore GRANTED IN PART and DENIED IN PART, and case management deadlines in this matter are hereby extended as follows:

- a) Plaintiff’s Rule 26(a)(2) expert disclosure deadline is extended from August 23, 2021 to **Friday, November 12, 2021¹**;
- b) Defendants’ Rule 26(a)(2) expert disclosure deadline is extended from September 22, 2021 to **Monday, December 13, 2021¹**;

¹ Parties must disclose the names of all expert witnesses, the subject matter on which the experts will present evidence, and a summary of the facts and opinions to which the experts are expected to testify by this date. Experts who are retained or specifically employed to provide expert testimony must also submit an expert report by this date. *See* Fed. R. Civ. P. 26(a)(2). The parties must have their retained expert(s) ready to be deposed at the time they identify them and provide their reports. Expert witnesses who are not required to provide a written report may be deposed before summary disclosure.

- c) The termination date for fact discovery remains **Tuesday, November 16, 2021**;
- d) The deadline for filing motions relating to fact discovery remains **Wednesday, December 8, 2021**;
- e) The termination date for expert discovery is extended from November 16, 2021 to **Wednesday, January 12, 2022**;
- f) The deadline for filing motions relating to expert discovery is extended from December 8, 2021 to **Tuesday, February 1, 2022**;
- g) The deadline for filing pretrial motions other than discovery motions (including motions which may require a *Daubert* hearing but otherwise excluding motions *in limine*) is extended from December 15, 2021 to **Friday, February 11, 2022**;
- h) The deadline for Plaintiff to submit his portions of the parties' proposed Pretrial Order to Defendants is extended from April 4, 2022 to **Wednesday, June 1, 2022**; and,
- i) The deadline for Defendants to submit the parties' consolidated proposed Pretrial Order to the Court is extended from April 18, 2022 to **Wednesday, June 15, 2022**.

All other provisions of the Court's Order Adopting Joint Status Report and Provisional Discovery Plan with Changes and Setting Case Management Deadlines (Doc. 41) and Order Extending Case Management Deadlines (Doc. 70) remain in effect.

IT IS SO ORDERED.



KIRTAN KHALSA
UNITED STATES MAGISTRATE JUDGE